C.A. 2007 (4)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR CHHATTISGARH

WRIT PETITION NO.1646 OF 2004

PETITIONERS :

1. Virendra Pratap Singh, S/O. Shri Kamal Narayan Singh, Aged about 34 years, Presently posted as Constable (No.30), Police Station Bacheli, District South Bastar (Dantewada) (C.G.).

2. Umesh Shukla, S/O. Shri Gulab Prasad Shukla, Aged about 33 years, Presently posted as Constable (No.38), Police Station Bacheli, District South Bastar (Dantewada) (C.G.).

P.R. No. 1650/04
Presented by Shri ...
dated 18-6-04

Versus

RESPONDENTS :

1. Union of India
Through the Secretary, Department of Personnel, Public Grievance and Pension, Third Floor, Lok Nayak Bhawan, Khan Market, New Delhi.

2. State of Madhya Pradesh
Through the Secretary, Department of Home Affairs, Vallabh Bhawan, Bhopal (M.P.).

3. State of Chhattisgarh
Through the Secretary, Department of Home Affairs, D.K.S. Building, Mantralaya, Raipur, Chhattisgarh.

4. Director General of Police, State of Chhattisgarh, Raipur (C.G.).

उपपथ अधिवक्ता
एन.के. शुक्ला
बिलासपुर तहसील कोर्ट
18/6/04

Received Copy
Shri Sadan
18.06.04
Clerk to Shri
VINAY HARIT
U.O.I. Adv.

RECEIVED COPY
Bilaspur
18/06/04

(5)

5. Inspector General of Police (Personnel), Police Head Quarters, Raipur, District Raipur (C.G.).

6. Superintendent of Police, District South Bastar (Dantewada) (C.G.).

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

1. PARTICULARS OF THE PETITIONERS.

As shown in the cause title

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(76)

आदेश पत्रक

मामला क्रमांक W.P.No.1646/04 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

01.07.2004

Shri Sameer Behar, Counsel for the petitioners.

Shri Vinay Harit, Sr. Central Government Standing Counsel for respondent No.1.

None for respondent No.2.

Shri Sudhir Agrawal, P.L for the State.

I.A.No.3938/2004 for urgent hearing is allowed.

Heard on I.A.No.3939/04 for exemption from filing the typed copies of annexures P-3, P-6, P-7 and P-8.

Application is allowed. The petitioners are exempted from filing typed copies of annexures.

Heard.

Counsel for the petitioners submits that the matter relates to allocation of the petitioners. He further submits that in similar matter i.e. W.P.No.578/2004 (Balendra Shekhar Mishra and others Vs. Union of India and others), orders have been passed. He prays that similar orders may be passed in this case also.

Prayer is not opposed by other side.

Having considered the facts and circumstances of the case, material on record and in view of the judgment cited above and further the legal position, the action of the State Authorities in not relieving the petitioners cannot be sustained and the petitioners are entitled for relieving.

Accordingly, the petition is allowed. The respondents are directed to relieve the petitioners within 15 days from the date of production of copy of this order.

With this observation, the petition is disposed of.

Consequently, M.W.P.No.1466/2004 also stands disposed of.

Certified copy as per rules.

Sd/-
Fakhruddin
Judge

Pathak/-